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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/815,527
	Filing Date	4/1/2004
	First Named Inventor	Joshua D. Rabinowitz
	Art Unit	Not yet known
	Examiner Name	To be assigned
Total Number of Pages in This Submission		Attorney Docket Number 00024.04CON

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Remarks Info. Discl. Statement (2 pp.) Form 1449 (3 copies, 8 pages each) Copy of references 172 Return postcard		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C Stracker, Ph.D., J.D. Telephone (650)-687-3905		Customer Number 37485
Signature			
Date	SEP. 24 2004		

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PATENT
Attorney's Docket No.: 00024.04CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.
Serial No.: 10/815,527
Filed: 4/1/2004
Title DELIVERY OF STIMULANTS THROUGH AN INHALATION ROUTE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

Date: SEP. 24 2004



Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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Form PTO-1449

Docket Number: 0024.04 CON

Application Number: 10/815,527

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Applicant: Joshua D. RABINOWITZ et al.

SEP 24 2004

(Use several sheets if necessary)

Filing Date: 4/1/2004

Group Art Unit: Not Yet Known

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/09/1965	3,169,095	Thiel et al.			
	2.	02/02/1971	3,560,607	Hartley			
	3.	05/27/1980	Re. 30,285	Babington			
	4.	09/15/1987	4,693,868	Katsuda et al.			
	5.	11/24/1987	4,708,151	Shelar			
	6.	12/22/1987	4,714,082	Banerjee et al.			
	7.	07/12/1988	4,756,318	Clearman et al.			
	8.	05/29/1990	4,928,714	Shannon			
	9.	02/05/1991	4,989,619	Clearman et al.			
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	24.	06/29/1999	5,915,378	Lloyd et al.			
	25.	08/10/1999	5,934,272	Lloyd et al.			

EXAMINER:

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number: 0024.04 CON		Application Number: 10/815,527	
	Applicant: Joshua D. RABINOWITZ et al.			
	Filing Date: 4/1/2004		Group Art Unit: Not Yet Known	

	26.	09/28/1999	5,957,124	Lloyd et al.			
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	35.	07/04/2002	US 2002/0086852	Cantor			
	36.	08/22/2002	US 2002/0112723	Schuster et al.			
	37.	11/28/2002	US 2002/0176841	Barker et al.			
	38.	01/02/2003	US 2003/0004142	Prior et al.			
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RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

	40.	08/04/2003	10/633,876 /	Hale et al.			
	41.	08/04/2003	10/633,877 /	Hale et al.			
	42.	12/30/2003	10/749,537 /	Rabinowitz et al.			
	43.	12/30/2003	10/749,539 /	Rabinowitz et al.			
	44.	01/27/2004	10/766,149 /	Rabinowitz et al.			
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	46.	01/27/2004	10/766,566 /	Rabinowitz et al.			
	47.	01/27/2004	10/766,574 /	Rabinowitz et al.			
	48.	01/27/2004	10/766,634 /	Rabinowitz et al.			
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	51.	01/29/2004	10/768,205 /	Rabinowitz et al.			
	52.	01/29/2004	10/768,220 /	Rabinowitz et al.			
	53.	01/29/2004	10/768,281 /	Rabinowitz et al.			

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	Applicant: Joshua D. RABINOWITZ et al.			
	Filing Date: 4/1/2004		Group Art Unit: Not Yet Known	

	54.	01/29/2004	10/768,293 ✓	Rabinowitz et al.			
	55.	01/30/2004	10/769,046 ✓	Rabinowitz et al.			
	56.	01/30/2004	10/769,051 ✓	Rabinowitz et al.			
	57.	01/29/2004	10/769,157 ✓	Rabinowitz et al.			
	58.	01/29/2004	10/769,197 ✓	Rabinowitz et al.			
	59.	02/09/2004	10/775,583 ✓	Rabinowitz et al.			
	60.	02/09/2004	10/775,586 ✓	Rabinowitz et al.			
	61.	03/03/2004	10/791,915 ✓	Hale et al.			
	62.	03/03/2004	10/792,001 ✓	Rabinowitz et al.			
	63.	03/03/2004	10/792,012 ✓	Hale et al.			
	64.	03/03/2004	10/792,013 ✓	Rabinowitz et al.			
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	72.	04/01/2004	10/816,492	Rabinowitz et al.			
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	79.	01/09/2003	US 2003/0005924	Rabinowitz et al.			
	80.	01/09/2003	US 2003/0005925	Hale et al.			
	81.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
	82.	01/09/2003	US 2003/0007934	Rabinowitz et al.			
	83.	01/16/2003	US 2003/0012737	Rabinowitz et al.			

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	Applicant: Joshua D. RABINOWITZ et al.			
	Filing Date: 4/1/2004		Group Art Unit: Not Yet Known	

	84.	01/16/2003	US 2003/0012738	Rabinowitz et al.			
	85.	1/16/2003	US 2003/0012740	Rabinowitz et al.			
	86.	01/23/2003	US 2003/0015189	Rabinowitz et al.			
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	97.	01/30/2003	US 2003/0021755	Hale et al.			
	98.	02/20/2003	US 2003/0035776	Hodges et al.			
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	102.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
	103.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
	104.	05/20/2004	US 2004/0096402	Hodges et al.			
	105.	05/27/2004	US 2004/0099269	Hale et al.			
	106.	06/03/2004	US 2004/0105818	Hale et al.			
	107.	06/03/2004	US 2004/0105819	Hale et al.			
	108.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
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	112.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
	113.	07/01/2004	US 2004/0127490	Rabinowitz et al.			

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	Filing Date: 4/1/2004		Group Art Unit: Not Yet Known	

	114.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
	115.	08/12/2004	US 2004/0156789	Rabinowitz et al.			
	116.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	117.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	118.	03/14/1990	EP 0 358 114 ✓	Europe			
	119.	07/03/2001	EP 1 080 720 ✓	Europe			
	120.	08/29/2001	EP 0 606 486 ✓	Europe			
	121.	06/13/1991	WO 91/07947 ✓	WIPO			
	122.	04/16/1992	WO 92/05781 ✓	WIPO			
	123.	04/11/1996	WO 96/09846 ✓	WIPO			
	124.	05/09/1996	WO 96/13161 ✓	WIPO			
	125.	05/09/1996	WO 96/13290 ✓	WIPO			
	126.	05/09/1996	WO 96/13291 ✓	WIPO			
	127.	05/09/1996	WO 96/13292 ✓	WIPO			
	128.	10/03/1996	WO 96/30068 ✓	WIPO			
	129.	10/10/1996	WO 96/31198 ✓	WIPO			
	130.	08/07/1997	WO 97/27804 ✓	WIPO			
	131.	05/28/1998	WO 98/22170 ✓	WIPO			
	132.	07/23/1998	WO 98/31346 ✓	WIPO			
	133.	08/27/1998	WO 98/36651 ✓	WIPO			
	134.	04/08/1999	WO 99/16419 ✓	WIPO			
	135.	12/16/1999	WO 99/64094 ✓	WIPO			
	136.	01/06/2000	WO 00/00176 ✓	WIPO			
	137.	01/06/2000	WO 00/00215 ✓	WIPO			

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PTO/SB/ 08 (2-92)	Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number: 0024.04 CON	Application Number: 10/815,527
	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 4/1/2004	Group Art Unit: Not Yet Known

	138.	05/18/2000	WO 00/27363 ✓	WIPO			
	139.	05/25/2000	WO 00/29053 ✓	WIPO			
	140.	09/17/2000	WO 00/47203 ✓	WIPO			
	141.	11/02/2000	WO 00/64940 ✓	WIPO			
	142.	11/09/2000	WO 00/66084 ✓	WIPO			
	143.	11/09/2000	WO 00/66206 ✓	WIPO			
	144.	12/21/2000	WO 00/76673 ✓	WIPO			
	145.	01/25/2001	WO 01/05459 ✓	WIPO			
	146.	06/14/2001	WO 01/41732 ✓	WIPO			
	147.	03/28/2002	WO 02/24158 ✓	WIPO			

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Examiner Initials	Ref. No.	Title
	148.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	149.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	150.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	151.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
	152.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600.
	153.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	154.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.
	155.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Docket Number: 0024.04 CON</td> <td style="width: 50%;">Application Number: 10/815,527</td> </tr> <tr> <td colspan="2">Applicant: Joshua D. RABINOWITZ et al.</td> </tr> <tr> <td>Filing Date: 4/1/2004</td> <td>Group Art Unit: Not Yet Known</td> </tr> <tr> <td colspan="2" style="height: 20px;"></td> </tr> </table>		Docket Number: 0024.04 CON	Application Number: 10/815,527	Applicant: Joshua D. RABINOWITZ et al.		Filing Date: 4/1/2004	Group Art Unit: Not Yet Known		
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Applicant: Joshua D. RABINOWITZ et al.											
Filing Date: 4/1/2004	Group Art Unit: Not Yet Known										
	156.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.									
	157.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 μ m," <i>J. Aerosol Sci.</i> 17(5):811-822.									
	158.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.									
	159.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.									
	160.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.									
	161.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.									
	162.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.									
	163.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.									
	164.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.									
	165.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE".									
	166.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.									
	167.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.									
	168.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.									
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	171.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609.									
EXAMINER:		DATE CONSIDERED:									
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.											

Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION*(Use several sheets if necessary)*

Docket Number: 0024.04 CON

Application Number: 10/815,527

Applicant: Joshua D. RABINOWITZ et al.

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172.

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